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Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Third session

19-30 March 2001

Note verbale dated 2 April 2001 from the Permanent Mission of China to the United Nations addressed to the Department for Disarmament Affairs of the United Nations Secretariat, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/L.4/Rev.1)

The Permanent Mission of the People's Republic of China to the United Nations presents its compliments to the Department for Disarmament Affairs of the United Nations Secretariat and has the honour to transmit the amendments of China on the Chairman's revised draft Programme of Action (A/CONF.192/PC/L.4/Rev.1) (see annex).

01-32829 (E) 250401

Annex

Proposed amendments submitted by China to document A/CONF.192/PC/L.4/Rev.1

Preamble

Para. 6:

Reaffirming our respect for and commitment to the basic norms of international law and the principles enshrined in the Charter of the United Nations including the sovereign equality of States, the peaceful resolution of **international** disputes, non-intervention, and non-interference in the internal affairs of States.

Para.20:

(a)

Strengthening or developing **measures** ~~norms~~ at the regional and national levels that would reinforce and further coordinate efforts to prevent and combat the illicit trade in small arms and light weapons in all its aspects.

(c)

Placing particular emphasis on the regions of the world where conflicts come to an end and where serious problems with the **illicit trade** ~~proliferation~~ of small arms and light weapons have to be dealt with urgently;

Section II

Para. 9:

To assess applications for export authorizations according to strict national ~~or regional~~ criteria that cover all categories of small arms and light weapons.

Para. 10:

To put in place laws, regulations and administrative procedures to ensure the effective control over the transfer of small arms and light weapons, including the use of ~~authenticated end user certificates~~ **effective documents of certification, such as end-user certificates**, and enhanced legal and enforcement measures.

Para. 12:

To develop national systems **in accordance with specific national conditions** for regulating the activities of those who engage in arms brokering. Such a system could include measures such as registration of brokers, licensing or authorization of brokering as well as the ~~criminalization of~~ **penalties for** all illicit brokering activities performed in their jurisdiction.

Para. 14:

To ~~treat~~ **take all necessary measures, including legal or administrative means, against** any ~~transfer of small arms and light weapons~~ **activity** that violates a United Nations Security Council arms embargo ~~as a crime, and to ensure that this is reflected in their domestic laws~~.

Para. 18:

To destroy surplus small arms and light weapons using ~~internationally accepted and effective procedures and in accordance with~~ effective and environmentally sound procedures. Surplus weapons retained for other purposes will be permanently disabled and decommissioned.

Para. 19:

To encourage States, in the interests of awareness-raising and confidence-building, to carry out, **where possible,** public destruction events.

Para. 26:

To strengthen and establish, where appropriate and as agreed by the States concerned, ~~regional and subregional~~ moratoria **in affected regions or subregions** on the transfer and manufacture of small arms and light weapons and/or regional action programmes to...

Para. 27:

To establish, where appropriate, subregional or regional mechanisms, in particular transborder customs cooperation and networks **without prejudice to national security or commercial concerns** for information-sharing...

Para. 30:

To develop, **on a voluntary basis,** appropriate measures...

Para. 35:

To ~~develop~~ **study the feasibility of developing** international arrangements and a legally binding instrument to enable the timely and reliable tracing of lines of supply **of illicit small** arms and light **weapons** by relevant authorities.

Para. 37:

To ~~develop~~ **promote** common understandings ~~of~~ **on** the basic issues and the scope of the problems related to illicit arms brokering with a view to ~~regulating~~ improving the regulation of the activities of those engaged in arms brokering.

Section III

Para. 12:

States undertake to exchange information, **on a voluntary basis and without prejudice to national security,** on their national marking systems on small arms and light weapons.

Section IV

Para. 1(c):

To strengthen ~~and further develop~~ **the implementation of** measures contained in the Programme of Action, including ~~negotiation~~ **the study of the feasibility** of **developing** an international instrument to identify and trace the lines of supply of **illicit** small arms and light weapons.

Para. 1(d):

To ~~consider the elaboration~~ **study the feasibility** of **developing** an international instrument to restrict the production...

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Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
Third session
19-30 March 2001

Report of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

I. Introduction

1. At its fifty-fourth session, the General Assembly adopted resolution 54/54 V of 15 December 1999, the operative part of which reads as follows:

"*The General Assembly*,

"...

"1. *Decides* to convene the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in June/July 2001;

"2. *Also decides* that the scope of the Conference shall be the illicit trade in small arms and light weapons in all its aspects;

"3. *Further decides* to establish a preparatory committee open to participation by all States, which will hold no fewer than three sessions, the first session to be held in New York from 28 February to 3 March 2000;

"4. *Decides* that the specialized agencies, other relevant intergovernmental organizations and relevant entities, having received a standing invitation to participate as observers in the sessions and in the work of the General Assembly, shall participate, as observers, in the Preparatory Committee, and requests the Committee to take a decision on the modalities of attendance of non-governmental organizations at its sessions;

"5. *Requests* the Preparatory Committee to decide, at its first session, on the date and venue of the Conference in 2001 as well as on the dates and venue of its subsequent sessions;

"6. *Stresses* the need to ensure the widest possible and effective participation in the Conference in 2001;

"7. *Requests* the Preparatory Committee to make recommendations to the Conference on all relevant matters, including the objective, a draft agenda, draft rules of procedure and draft final documents, which will include a programme of action, and to decide on background documents to be made available in advance;

"8. *Invites* all Member States, in particular those that have not yet done so, in response to the note verbale of the Secretary-General dated 20 January 1999, to communicate to the Secretary-General their views on the agenda and other relevant questions relating to the Conference;

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"9. *Requests* the Secretary-General to transmit the replies of Member States relevant to paragraph 8 above to the Preparatory Committee and to render the Preparatory Committee and the Conference all necessary assistance, including the provision of essential background information, relevant documents and summary records;

"10. *Endorses* the report of the Secretary-General on small arms (A/54/258), prepared with the assistance of the Group of Governmental Experts on Small Arms pursuant to General Assembly resolution 52/38 J, bearing in mind the views of Member States on the report;

"11. *Calls upon* all Member States to implement the relevant recommendations contained in section IV of that report to the extent possible and where necessary in cooperation with appropriate international and regional organizations and/or through international and regional cooperation;

"12. *Requests* the Secretary-General to seek the views of Member States on the report as well as on the implementation of the relevant recommendations contained therein;

"13. *Also requests* the Secretary-General to implement the relevant recommendations contained in section IV of the report within available financial resources and with any other assistance provided by the States in a position to do so and in cooperation with appropriate international and regional organizations where necessary;

"14. *Further requests* the Secretary-General, in order to assist in preventing the illicit trafficking in and illicit circulation of small arms and light weapons:

"(a) To carry out a study, within available financial resources and with any other assistance provided by Member States in a position to do so, and with the assistance of governmental experts appointed by him, on the basis of equitable geographical representation, while seeking the views of Member States, on the feasibility of restricting the manufacture and trade of such weapons to the manufacturers and dealers authorized by States, which will cover the brokering activities, particularly illicit activities, relating to small arms and light weapons, including transportation agents and financial transactions;

"(b) To submit the study as one of the background documents for the Conference to be held in 2001;

"15. *Decides* to include in the provisional agenda of its fifty-fifth session the item entitled 'Small arms'."

2. By its decision 55/415, entitled "Small arms", adopted on 20 November 2000, the General Assembly decided to convene the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in New York, from 9 to 20 July 2001. It also decided to convene the third session of the Preparatory Committee for the Conference in New York, from 19 to 30 March 2001.

3. Representatives of the following States participated in the third session of the Preparatory Committee: Algeria, Andorra, Angola Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Holy See, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the

former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tonga, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia and Zimbabwe.

4. The following intergovernmental organizations and relevant entities participated as observers in the third session of the Preparatory Committee: European Community, Permanent Observer of the International Organization of la Francophonie, Permanent Observer of the Organization of African Unity, International Committee of the Red Cross and World Bank.

II. Organization of the work of the Preparatory Committee

5. Pursuant to General Assembly decision 55/415, the Preparatory Committee for the Conference held its third session at United Nations Headquarters in New York, from 19 to 30 March 2001.

6. During the third session, the Preparatory Committee held a total of 10 plenary meetings.

7. The following officers served the Preparatory Committee at the third session:

Chairman

Mr. Carlos dos Santos	Mozambique

Vice-Chairpersons

Mr. Yashar Aliyev	Azerbaijan
Ms. Marie-France André	Belgium
Mr. Herbert Calhoun	United States of America
Mr. Alioune Diagne	Senegal
Ms. Dace Dobraja	Latvia
Mr. Mitsuro Donowaki	Japan
Ms. Ana Maria Sampaio Fernandes	Brazil
Mr. Shen Guofang	China
Mr. Samuel Insanally	Guyana
Mr. Ismail Khairat	Egypt
Mr. Valeri P. Kuchynski	Ukraine
Mr. Bob Jalango	Kenya
Mr. Leif Arne Ulland	Norway
Mr. Robert McDougall	Canada
Mr. Hamid Baeidi Nejab	(Iran) Islamic Republic of
Mr. Richard Pierce	Jamaica
Mr. Jean Du Preez	South Africa
Mr. Denis Dangue Rewaka	Gabon
Mr. Henrik Salander	Sweden
Mr. Raul Salazar-Cosio	Peru
Mr. Carlos Sorreta	Philippines
Mr. Sergey Ling	Belarus
Ms. Nury Vargas	Costa Rica
Mr. Makmur Widodo	Indonesia
Mr. Przemyslaw Wyganowski	Poland

8. Ms. Agnès Marcaillou, Senior Political Affairs Officer, Department for Disarmament Affairs, served as Secretary of the Preparatory Committee. As in the previous two sessions, the Secretary of the Preparatory Committee acted as Rapporteur.

9. At its 28th meeting, on 19 March 2001, the Committee considered the timetable submitted by the Chair for the week of 19-23 March 2001, as contained in Informal Paper No. 1 of 19 March 2001. At the 36th meeting, on 26 March, the Committee considered the timetable submitted by the Chair for the week of 26-30 March 2001, as contained in Informal Paper No. 4 of 26 March 2001. The Committee adopted the two working timetables and decided to focus its work on the consideration of the Chairman's working paper entitled "Draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects" (A/CONF.192/PC/L.4/Rev.1). During plenary meetings, delegations made general statements and presented proposals on the Chairman's working paper. The Committee considered the working paper paragraph by paragraph in closed meetings. Amendments and additional proposals to the working paper were also considered.

10. The Preparatory Committee also agreed that the Chairman's working paper would be the basis for its substantive consideration of the draft Programme of Action.

11. At the 28th meeting, on 19 March, at the request of the Preparatory Committee, the representatives of the United Nations Centre for International Crime Prevention, Vienna, the Organization for Security and Cooperation in Europe (OSCE) and the Southern African Development Community (SADC) made statements respectively on the recent conclusion of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations

Convention against Transnational Organized Crime, the OSCE Document on Small Arms and Light Weapons, and the Southern African Development Community Declaration Concerning Firearms, Ammunition and Other Related Material.

12. At the same meeting, the Chairperson of the Group of Experts established pursuant to General Assembly resolution 54/54 V, Ms. Peggy Mason of Canada, presented the report of the Group (A/CONF.192/PC/33).

13. At the 29th meeting, also on 19 March, at the request of the Preparatory Committee, representatives of the following United Nations departments, agencies, programmes and funds made statements: Department for Disarmament Affairs, United Nations Children's Fund (UNICEF), World Health Organization (WHO), United Nations Institute for Disarmament Research (UNIDIR), United Nations Development Programme (UNDP), Office of the United Nations High Commissioner for Human Rights, Office for the Coordination of Humanitarian Affairs and the Department for Peace-keeping Operations.

14. At the 34th meeting, on 23 March, the Minister of Foreign Affairs and International Cooperation of Kenya, Mr. Bonaya Adhi Godana, addressed the Committee on behalf of the Initiative of the Great Lakes Region and the Horn of Africa.

15. At the same meeting, the Officer-in-Charge of the Department for Disarmament Affairs, Mr. Evgeniy Gorkovskiy, made a statement on behalf of the United Nations Coordinating Action on Small Arms (CASA) mechanism.

16. Also at the 34th meeting, representatives of the following non-governmental organizations addressed the Committee: International League for Peace and Freedom, Institute for Security Studies, Amnesty International, Saferworld, National Rifle Association, Groupe de Recherche sur la Paix et la Sécurité, International Alert, Working Group on Weapons Reduction, Christian Council of Mozambique, Security Research and Information Centre, International Action Network on Small Arms, Eminent Persons Group, Sporting Shooters Association of Australia, Centre for International Policy, Africa Peace Forum, Bradford University and Arias Foundation.

17. At the 36th meeting, on 26 March, a representative of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict made a statement.

18. A number of delegations circulated the following documents:

- Letter dated 30 January 2001, from the Permanent Representative of South Africa to the United Nations addressed to the Under-Secretary-General for Disarmament Affairs (A/CONF.192/PC/31);
- Note verbale dated 2 March 2001 from the Permanent Mission of Sweden to the United Nations transmitting, on behalf of the European Union, EU comments on the Chairman's revised draft Programme of Action (A/CONF.192/PC/32);
- Note Verbale dated 15 March 2001 from the Permanent Mission of Japan to the United Nations addressed to the Secretariat of the United Nations, transmitting the general comments of Japan on the revised draft Programme of Action (A/CONF.192/PC/34);
- Letter dated 16 March 2001 from the Permanent Representative of Namibia to the United Nations addressed to the Under-Secretary-General for Disarmament Affairs, transmitting the text of the Declaration concerning Firearms, Ammunition and Other Related Materials in the Southern African Development Community (A/CONF.192/PC/35);
- Note verbale dated 19 March 2001 from the Permanent Mission of Bulgaria to the United Nations addressed to the Chairman of the Preparatory Committee, transmitting working views and suggestions of the Bulgarian delegation on regional and subregional activities (A/CONF.192/PC/37);
- Note verbale dated 21 March 2001 from the Permanent Mission of France and the Permanent Observer Mission of Switzerland to the United Nations addressed to the Chairman of the Preparatory Committee, transmitting a summary of the Franco-Swiss Seminar on the Traceability of Small Arms and Light Weapons, held in Geneva on 12 and 13 March 2001 (A/CONF.192/PC/38);
- Note verbale dated 28 March 2001 from the Permanent Mission of Sweden to the United

Nations addressed to the secretariat of the Preparatory Committee, transmitting, on behalf of the European Union, drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/40);

- Letter dated 29 March 2001 from the head of the Canadian delegation addressed to the secretariat of the Preparatory Committee, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/41);
- Note verbale dated 30 March 2001 from the Permanent Observer Mission of Switzerland to the United Nations addressed to the secretariat of the Preparatory Committee, transmitting working papers on the revised draft Programme of Action (A/CONF.192/PC/42);
- Note verbale dated 30 March 2001 from the Permanent Observer Mission of Switzerland to the United Nations addressed to the secretariat of the Preparatory Committee, transmitting, on behalf of Mexico, Switzerland and the United States of America, a working paper on the revised draft Programme of Action (A/CONF.192/PC/43);
- Note verbale dated 30 March 2001 from the Permanent Mission of Jordan to the United Nations addressed to the Department for Disarmament Affairs of the United Nations Secretariat, transmitting, on behalf of the League of Arab States, drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/44);
- Note verbale dated 30 March 2001 from the Permanent Mission of Argentina to the United Nations addressed to the secretariat of the Preparatory Committee, transmitting drafting proposals on the revised draft Programme of Action. (A/CONF.192/PC/45);
- Note verbale dated 30 March 2001 from the Permanent Mission of Brazil to the United Nations addressed to the Department for Disarmament Affairs of the United Nations Secretariat, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/46);
- Note verbale dated 3 April 2001 from the Permanent Mission of Cuba to the United Nations addressed to the secretariat of the Preparatory Committee, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/47);
- Note verbale dated 30 March 2001 from the Permanent Mission of Algeria to the United Nations addressed to the Department for Disarmament Affairs of the United Nations Secretariat, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/48);
- Note verbale dated 2 April 2001 from the Permanent Mission of China to the United Nations addressed to the Department for Disarmament Affairs of the United Nations Secretariat, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/49);
- Note verbale dated 30 March 2001 from the Permanent Mission of Iraq to the United Nations addressed to the Department for Disarmament Affairs of the United Nations Secretariat, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/51);
- Note verbale dated 3 April 2001 from the Permanent Mission of the Russian Federation to the United Nations addressed to the Chairman of the Preparatory Committee, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/52);
- Note verbale dated 26 March 2001 from the Permanent Mission of Qatar to the United Nations addressed to the Chairman of the Preparatory Committee, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/53);
- Note verbale dated 2 April 2001 from the Permanent Observer Mission of the Holy See to the United Nations addressed to the secretariat of the Preparatory Committee, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/54);
- Note verbale dated 2 April 2001 from the United States Mission to the United Nations addressed to the secretariat of the Preparatory Committee, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/55);

- Note verbale dated 3 April 2001 from the Permanent Mission of Nepal to the United Nations addressed to the secretariat of the Preparatory Committee, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/56);
- Recommendation proposed by Brazil, Mali, the Netherlands and the United Kingdom of Great Britain and Northern Ireland (A/CONF.192/PC/57).

19. The Preparatory Committee had before it the following documents for its consideration:

- Draft provisional agenda of the Conference (A/CONF.192/PC/L.2/Rev.2);
- Draft decision on the modalities of attendance of non-governmental organizations at the sessions of the Preparatory Committee as well as the Conference (A/CONF.192/PC/L.7/Rev.2);
- Draft rule 33 of the draft rules of procedure for the Conference (A/CONF.192/PC/L.8);
- Draft decision (A/CONF.192/PC/L.9);
- Draft rule 64 of the draft rules of procedure of the Conference (A/CONF.192/PC/L.10);
- Draft report of the Preparatory Committee (A/CONF.192/PC/L.12);
- Draft decision proposed by the Netherlands (on behalf of Brazil, Mali, the Netherlands and the United Kingdom of Great Britain and Northern Ireland) (A/CONF.192/PC/L.13).

20. A number of documents were made available at the third session of the Preparatory Committee. The list of documents is contained in Information Paper No. 1 of 28 March 2001.

21. The list of delegations participating in the third session of the Preparatory Committee is contained in document A/CONF.192/PC/36.

22. Pursuant to the decision of the General Assembly of 15 December 1999 that summary records would be provided for only those meetings at which decisions were taken, summary records were provided for three meetings: the 33rd, 37th and 38th meetings.

III. Decisions and recommendations of the Preparatory Committee

A. Decisions

23. At the 33rd meeting, on 21 March 2001, in accordance with paragraph 4 of General Assembly resolution 54/54 V, the Preparatory Committee adopted a decision on modalities of attendance of non-governmental organizations at its session and at the Conference (A/CONF.192/PC/L.7/Rev.2). Before the adoption of the decision, the Chairman stated, for the record, that it was the Committee's understanding that, once non-governmental organizations enjoying consultative status with the Economic and Social Council in accordance with the provisions of Council resolution 1996/31 of 25 July 1996 have informed the Chairman of the Preparatory Committee of their interest in participating in the Committee, they would have a right to participate in its session without being subjected to a second screening. In addition, the Chairman also stated that it was the Committee's understanding that the language contained in the decision would apply mutatis mutandis to the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and that the language would be reflected in draft rule 64 of the draft rules of procedure of the Conference.

24. In accordance with paragraph 7 of the resolution, 54/54 V, the Preparatory Committee also decided that the Secretary-General's study carried out with the assistance of a group of governmental experts established pursuant to paragraph 14 of the resolution (A/CONF.192/PC/33) should be made available in advance. The Committee furthermore decided that those documents and papers made available to it, throughout the preparatory process, including the reports of its first, second and third sessions (A/CONF.192/PC/9, A/CONF.192/PC/30 and A/CONF.192/PC/50), would constitute background documents for the Conference.

B. Recommendations

25. At the 38th meeting on 30 March 2001, the Preparatory Committee adopted a recommendation proposed by Brazil, Mali, the Netherlands and the United Kingdom of Great Britain and Northern Ireland

(A/CONF.192/PC/57). The recommendation reads as follows:

> "The Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, which will be held at United Nations Headquarters from 9 to 20 July 2001,
>
> 1. *Recommends* that the first day of the Conference be proclaimed 'Small Arms Destruction Day';
>
> 2. *Calls upon* all States to organize, on a voluntary basis and, where possible, together with non-governmental organizations and civil society, public events of destruction of small arms and light weapons on 'Small Arms Destruction Day', and to ensure the widest possible dissemination of information about the events, including through national and international media;
>
> 3. *Requests* the Secretary-General of the United Nations to communicate this recommendation to all States and other participants in the meetings of the Preparatory Committee, including non-governmental organizations."

26. In accordance with paragraph 7 of General Assembly resolution 54/54 V, at the 38th meeting, the Committee recommended to the Conference the objective of the Conference, as contained in document A/CONF. 192/PC/L.3, for further consideration.

27. In accordance with the same paragraph, the Committee recommended to the Conference the draft agenda of the Conference, as adopted by the Committee at its second session (A/CONF.192/PC/L.2/Rev.2).

28. Also at the 38th meeting, the Committee recommended to the Conference that draft rule 64 on the modalities of attendance of non-governmental organizations at the Conference should be incorporated in the draft rules of procedure of the Conference (A/CONF.192/PC/L.5).

29. In accordance with the same paragraph, also at the 38th meeting, the Preparatory Committee recommended to the Conference the draft rules of procedure of the Conference (A/CONF. 192/PC/L.5), as amended by the insertion of draft rule 33 on decision-making, adopted by the Committee at its second session (A/CONF.192/PC/L.8), and of draft rule 64 (A/CONF.192/PC/L.10).

30. Moreover, at its 38th meeting, the Preparatory Committee recommended that the Chairman's working paper entitled "Draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects", (A/CONF.192/PC/L.4/Rev.1), should be forwarded for further consideration at the Conference. The Committee also welcomed the intention of the Chairman to produce, under his own authority, an informal information sheet on the status of the discussions at the end of the third session of the Preparatory Committee.

31. At the same meeting, the Committee also recommended that the Conference should be held at the ministerial level (A/CONF.192/PC/L9).

32. At the same meeting, the Preparatory Committee recommended that the duration of each statement made during the general debate of the Conference should be limited to seven minutes.

33. The Preparatory Committee concluded its third session on 30 March 2001.

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Third session
19-30 March 2001

Note verbale dated 30 March 2001 from the Permanent Mission of Iraq to the United Nations addressed to the Department for Disarmament Affairs of the United Nations Secretariat, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/L.4/Rev.1)

The Permanent Mission of the Republic of Iraq to the United Nations presents its compliments to the Department for Disarmament Affairs of the United Nations Secretariat and has the honour to submit herewith the proposals of the delegation of the Republic of Iraq concerning document A/CONF.192/PC/L.4/Rev.1 (see annex).

01-32844 (E) 260401

Annex

Draft proposals submitted by the delegation of Iraq on document A/CONF.192/PC/L.4/Rev.1

Preamble

Paragraph 10

Recalling the obligations of States to fully comply with arms embargoes decided by the Security Council in accordance with the Charter of the United Nations,

Section II
At the national level

Paragraph 14

To take the necessary domestic measures, including legal or administrative means, against any activity that violates a Security Council arms embargo decided in accordance with the Charter of the United Nations.

Section II
At the global level

Paragraph 31

To cooperate with the United Nations system to ensure the effective implementation of arms embargoes decided by the Security Council in accordance with the Charter of the United Nations.

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Note verbale dated 3 April 2001 from the Permanent Mission of the Russian Federation to the United Nations addressed to the Chairman of the Preparatory Committee, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/L.4/Rev.1)

The Permanent Mission of the Russian Federation to the United Nations presents its compliments to the Chairman of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and has the honour to transmit the comments by the delegation of the Russian Federation on the Chairman's working paper entitled "Draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects" (A/CONF.192/PC/L.4/Rev.1) (see annex) and to request that the attached comments be circulated as a document of the Preparatory Committee.

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Annex

Comments by the delegation of the Russian Federation on the Chairman's working paper entitled "Draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects" (A/CONF.192/PC/L.4/Rev.1)

Replace throughout the draft Programme of Action the terms "spread" and "proliferation" of small arms and light weapons, by the term "trafficking in" and "circulation of" such weapons. The terms "illicit trafficking in" and "illicit circulation of" small arms and light weapons are given in the "Clarification of key terms", annex I to the report of the Group of Governmental Experts established pursuant to General Assembly resolution 54/54 V of 15 December 1999, entitled "Small arms" (A/CONF.192/PC/33).

The additions are in **bold**.

The deletions are in [brackets].

I. Preamble

Paragraph 14

Recognizing also the important contribution of civil society in general and non-governmental organizations in particular in [preventing and reducing] ***solving the problem of*** the excessive and destabilizing accumulation and [spread] ***illicit trafficking in and illicit circulation*** of small arms and light weapons,

Paragraph 15

Recognizing further that these efforts are without prejudice to the positions taken by States on, or the importance allocated by them to, the priorities accorded to [nuclear disarmament,] weapons of mass destruction and conventional disarmament,

Alternatively, delete the paragraph.

Paragraph 16

Welcoming the efforts being undertaken at the regional, subregional, national and local levels, **especially those undertaken by affected States themselves**, to address the illicit trade in small arms and light weapons in all its aspects, and desiring to build upon these, while taking into account the characteristics, scope and magnitude of the problem in each region,

Paragraph 20 (c)

Placing particular emphasis on the regions of the world where conflicts come to an end and where serious problems with the [proliferation] ***illicit circulation*** of small arms and light weapons have to be dealt with urgently.

II. Preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects

Paragraph 2, second sentence

This should include aspects of the [spread,] control, **trafficking**, circulation, trade collection **and** destruction [and reduction] of small arms and light weapons.

Paragraph 9

To assess applications for export authorizations according to strict national [or regional] criteria that cover all categories of small arms and light weapons.

Paragraph 17

To regularly review the stocks of small arms and light weapons held by armed forces, police and other authorized bodies and to ensure that such stocks surplus to requirements are clearly identified, [and that programmes for the responsible and expeditious disposal, normally through destruction, of such stocks are established and implemented] and that such stocks are adequately safeguarded until disposal.

Paragraph 18, first sentence

To destroy surplus small arms and light weapons [using internationally accepted and effective procedures and] in accordance with effective and environmentally sound procedures.

Paragraph 30

To develop, **where appropriate**, [appropriate] measures to enh transparency with respect to small arms and light weapons transfers, a confidence-building measure and with a view to combating their illicit trade.

Paragraph 32

Move to section IV, after paragraph 1 (c).

Paragraph 35

To develop international arrangements and [a legally bindin instrun enable timely and reliable tracing of lines of ***illicit*** supply ***of s arms a weapons*** by relevant authorities.

III. Implementation, international cooperation and assistance

Paragraph 3

The international community, **upon request of the S** undertakes to render assistance, to the extent possible, to enable of the measures to prevent, combat and eradicate the illicit tra light weapons in all its aspects as contained in the Programm

IV. Follow-up to the Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Paragraph 1 (c)

To strengthen and further develop measures contained in the Programme of Action, including negotiations of international instruments ***and arrangements*** to identify and trace the lines of ***illicit*** supply of small arms and light weapons.

Add a new paragraph 1 bis based on the language from section II, paragraph 32:

> "We request the Secretary-General of the United Nations, through the Department for Disarmament Affairs, to collate and circulate data and information provided by States on a voluntary basis on small arms and light weapons, including national reports, [at appropriate intervals,] on implementation of the Programme of Action."

Paragraph 2 (c)

Further encourage non-governmental organizations and civil society to [be engaged as partners as appropriate, in all aspects of] **contribute to efforts on** international, regional, subregional and national [efforts] **levels** to implement this Programme of Action.

United Nations

A/CONF.192/PC/53

General Assembly

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Third session
19-30 March 2001

Note verbale dated 26 March 2001 from the Permanent Mission of Qatar to the United Nations addressed to the Chairman of the Preparatory Committee, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/L.4/Rev.1)

The Permanent Mission of the State of Qatar to the United Nations presents its compliments to H.E. Ambassador Carlos Dos Santos, Permanent Representative of the Republic of Mozambique to the United Nations and Chairman of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and, with reference to the latter's note dated 9 February 2001 concerning the views of the Government of the State of Qatar on the working paper by the Chairman of the Preparatory Committee entitled "Draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects", has the honour to attach herewith the observation and views of the concerned authorities in the State of Qatar regarding the above-mentioned draft Programme of Action (see annex).

01-33062 (E) 170401 270401

Annex

Comments and views of Qatar on the Draft Programme of Action presented by the Chairman of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

1. At the national level

(a) Qatar has no national agency or body to monitor efforts to prevent the illicit trade in small arms and light weapons. Since Qatar is not one of those countries that manufacture such weapons or ammunition for them or any of their components, we are satisfied with the laws, regulations and administrative procedures we have established to exercise effective control over the stockpiling, possession, use and registration of such weapons.

(b) Since we are convinced that there is a need for an overall approach to preventing illicit traffic as a contribution on our part to enhancing international peace and security, it has been decided to prohibit the illicit exportation, importation, transit and re-transfer of light weapons, while reserving Qatar's right to import small arms and light weapons for use in self-defence and internal security in accordance with the provisions of Article 51 of the Charter of the United Nations.

(c) We undertake to keep comprehensive and accurate records of the holding and transfer of small arms and light weapons that carry precise and distinctive markings and to place appropriate markings, as required, on small arms and light weapons that [do not] have markings or have imprecise markings.

2. At the regional level

(a) We encourage regional action among the States members of the Gulf Cooperation Council in transboundary customs cooperation as well as networks for the exchange of information for the purpose of containing and eliminating the illicit cross-border trade in small arms and light weapons. We also support the establishment of a point of contact to act as liaison on matters relating to the implementation of the Programme of Action.

(b) Laws and programmes of action at the regional level should be strengthened and expanded in order to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects, and there should be cooperation with the countries concerned in their implementation using all necessary measures, including technical assistance.

3. At the global level

(a) Qatar complies with the fundamental rules of international law and the principles enshrined in the Charter of the United Nations, including the principles of the sovereign equality of States, the peaceful settlement of disputes and non-interference in the internal affairs of States. We encourage the great contribution being made by civil society in general and non-governmental organizations in particular to enhancing the stability and security of States and to eliminating [the illicit trade in weapons] as well as in raising awareness of and addressing the problems associated with such weapons.

(b) We stress the importance of encouraging States and the World Customs Organization, as well as other relevant organizations, to consider enhanced cooperation with the International Criminal Police Organization-Interpol to identify groups and individuals engaged in the illicit trade of small arms and light weapons.

(c) We are of the view that there is a pressing need for major efforts by all States in disarmament negotiations; for greater candour, clarity and transparency with regard to holdings and sales of small arms and light weapons; for exports of such weapons to be placed under strict control; and for curbs on exports of weapons that are used for purposes other than legitimate defence and security and encourage terrorism or are used to interfere in the internal affairs of States or to undermine the economies of developing countries. It is therefore essential to establish a United Nations register of transfers of small arms and light weapons, and we urge all States to show greater candour with regard to sales of such weapons.

4. Implementation, international cooperation and assistance

(a) We support and encourage measures to prevent conflicts from erupting and the endeavour whenever possible to settle such conflicts by means of negotiations.

(b) We must enhance cooperation, the exchange of experience and training among competent arms control officials at the national, regional and subregional levels, and we must elaborate international training programmes on small arms stockpile management and security.

(c) There should be continued advocacy and action on preventive measures and on evaluating the impact of these measures.

5. Follow-up to the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

(a) We agree that a Review Conference should be convened to review progress in the implementation of the Programme of Action.

(b) It would be appropriate to convene a meeting of States every two years to consider the implementation of the Programme of Action at the regional level and once a year [to consider implementation] at the national level.

(c) We encourage the United Nations and other appropriate international and regional organizations to undertake initiatives to promote the implementation of the Programme of Action; and we encourage all initiatives to mobilize resources and expertise to promote the implementation of the Programme of Action.

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Note verbale dated 2 April 2001 from the Permanent Observer Mission of the Holy See to the United Nations addressed to the secretariat of the Preparatory Committee, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/L.4/Rev.1)

The Permanent Observer Mission of the Holy See to the United Nations presents its compliments to the secretariat of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and has the honour to transmit herewith proposals of the Holy See on the Chairman's revised draft Programme of Action (A/CONF.192/PC/L.4/Rev.1) (see annex).

The Permanent Observer Mission of the Holy See to the United Nations would be grateful if the secretariat of the Preparatory Committee could have the text of the present letter and its annex circulated as an official document of the Preparatory Committee.

01-32884 (E) 260401

Annex

Drafting proposals submitted by the Holy See on document A/CONF.192/PC/L.4/Rev.1

Preamble

New paragraph 20 (a) bis

Enhancing the respect for life and the dignity of the human person, through the promotion of a culture of peace;

Section II

New paragraph 21 bis

To meet the special needs of children affected by armed conflicts, in particular: reunification with their family, their reintegration into society and their appropriate rehabilitation.

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19-30 March 2001

Note verbale dated 2 April 2001 from the United States Mission to the United Nations addressed to the Chairman of the Preparatory Committee, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/L.4/Rev.1)

The Chargé d'affaires a.i. of the United States Mission to the United Nations presents his compliments to the Chairman of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and has the honour to enclose the attached amendments to the Chairman's draft Programme of Action (A/CONF.192/PC/L.4/Rev.1), as requested at the final session of the Preparatory Committee (see annex).

01-35741 (E) 160501

Annex

Proposals submitted by the United States of America for A/CONF.192/PC/L.4/Rev.1

This text contains the United States proposed amendments to the Chairman's draft Program of Action. The United States accepts the Chairman's original text for paragraphs not included below.

I. Preamble

* *Italics reflect changes based on negotiations of March 22, 2001*

1. We, the States participating in the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, having met in New York from 9 to 20 July 2001, [1]

2. Gravely concerned at the illicit manufacture, transfer, and circulation of small arms and light weapons and their excessive accumulation and spread in many regions of the world, wh.ch have a wide range of humanitarian and socio-economic consequences ~~on stability and development~~,

---

[1]

U.S. Proposed Definition of Small Arms and Light Weapons for this Conference

For the purposes of this conference and without prejudice to any future internationally agreed definition, small arms and light weapons are man-portable weapons made or modified to military specifications for use as lethal instruments of war. Small arms are broadly categorized as those weapons intended for use by individual members of armed or security forces. They include revolvers and self-loading pistols; rifles and carbines; sub-machine guns; assault rifles; and light machine guns. Light weapons are broadly categorized as those weapons intended for use by several members of armed or security forces serving as a crew. They include heavy machine guns; hand-held under-barrel and mounted grenade launchers; portable anti-aircraft guns; portable anti-tank guns; recoilless rifles; portable launchers of anti-tank missile and rocket systems; portable launchers of anti-aircraft missile systems; and mortars of calibres less than 100 mm.

3. Recognizing that the illicit trade in small arms and light weapons in all its aspects sustains conflicts, exacerbates violence, contributes to the displacement of innocent populations, threatens ~~international humanitarian law~~ human ..ghts, and fuels crime and terrorism,

5. Concerned also about the close link between terrorism, organized crime and the drug trade, on the one hand, and the ~~uncontrolled spread of~~illicit trafficking in small arms and light weapons on the other, and stressing the importance of international efforts aimed ~~to~~ at combating them,

6. Reaffirming our respect for and commitment to ~~basic norms of international law~~ international law governing the conduct of armed conflict and the principles enshrined in the Charter of the United Nations, including the sovereign equality of States, the peaceful resolution of disputes, and non-intervention~~, and non-interference~~ in the internal affairs of States,

9. Reaffirming also the right of each State to import, export, produce and retain small arms and light weapons ~~at levels~~ consistent with its national laws, legitimate self-defense and security needs,

11. Believing that governments bear the primary responsibility for preventing and reducing the excessive and destabilizing accumulation and spread of small arms and light weapons.

14. Recognizing the important contribution of civil society in general and non-governmental organizations in particular *in assisting governments to solve the problems of small arms and light weapons*, conducting and disseminating research, doing field studies, educating the public, providing advice to governments on small arms issues and in delivering humanitarian relief to war-torn societies,

15. Recognizing further that these efforts are without prejudice to the positions taken by States on, or the importance allocated by them to, the priorities accorded to ~~nuclear disarmament,~~ weapons of mass destruction and conventional disarmament,

18. Recognizing that the international Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, when adopted by the UN General Assembly, will complement and reinforce efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects by establishing legally binding requirements relating to marking, record keeping, import and export controls and international law enforcement cooperation,

19. Convinced of the need for a ~~comprehensive~~ complementary approach to promote, at the global, regional, sub-regional, national and local levels, the prevention, reduction and eradication of the illicit trade in small arms and light weapons in all its aspects as a contribution to international peace and security,

20. Resolve therefore to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects by:

(b). Developing agreed international measures to prevent and combat illicit ~~arms~~ trafficking in ~~and manufacturing of~~ small arms and light weapons and to reduce excessive and destabilizing accumulations and transfers of such weapons throughout the world;

(d). Mobilizing the political will throughout the international community to prevent and combat illicit ~~transfers in and manufacturing of~~trafficking in small arms and light weapons in all their aspects, and raise awareness of the character and seriousness of the inter-related problems associated with the illicit trafficking in and manufacture of small arms and light weapons and the excessive and destabilizing accumulation and spread of these weapons;

(e). Promoting responsibility by States with a view to preventing the illicit export, import, transit and retransfer of small arms and light weapons, including establishing and enforcing effective import and export controls.

II. PREVENTING, COMBATING AND ERADICATING THE ILLICIT TRADE IN SMALL ARMS AND LIGHT WEAPONS IN ALL ITS ASPECTS

1. We, the States participating in this Conference, bearing in mind the different situations, capacities and priorities of States and regions, undertake the following political commitments~~measures~~ to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects:

At the national level:

2. To establish, as necessary~~where they do not exist~~, national coordination agencies or bodies and the appropriate institutional infrastructure responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects. This should include aspects of the spread, control, circulation, trade, collection, destruction and reduction of illicit small arms and light weapons.

3 To establish ~~a~~ appropriate national points of contact to act as liaison between States on matters relating to the implementation of the Programme of Action.

4. To put in place where they do not exist, and enforce, adequate laws, regulations and administrative procedures to exercise effective control over the illegal ~~legal~~ manufacture, stockpiling, transfer and possession of small arms and light weapons within their areas of jurisdiction. ~~To ensure that those engaged in illegal manufacture,~~

~~stockpiling, transfer and possession, can and will be prosecuted under appropriate penal codes.~~

5. To ensure that licensed manufacturers apply an appropriate and reliable marking on each small arm and light weapon as an integral part of the production process. This marking should be unique and should identify the country of manufacture and also provide information that enables the national authorities of that country to identify the manufacturer and serial number, so that the authorities concerned can identify and trace each weapon.

6. To adopt, where they do not exist and enforce all necessary measures to prevent the unlawful manufacture, stockpiling, transfer and possession of any unmarked or inadequately marked small arms and light weapons. All such weapons that have been collected, confiscated or seized should either be expeditiously destroyed or, where appropriate, adequately marked.

7. To ensure that comprehensive and accurate records are kept ~~for as long as possible~~ on the manufacture, holding and transfer of small arms and light weapons within their jurisdiction. These records should be organized and maintained in such a way as to ensure that accurate information can be promptly retrieved and collated by competent national authorities.

8. To ensure accountability for~~, and the effective tracing of~~ all weapons owned and issued by the State and effective measures for tracing illicitly traded weapons.

9. To assess applications for export authorizations of small arms and light weapons according to applicable national and regional criteria.~~To assess applications for export authorizations according to strict national or regional criteria that cover all categories of small arms and light weapons.~~

10. To ensure that participating states that have not already done so put in place adequate laws, regulations and administrative procedures to ensure the effective control over the transfer of small arms and light weapons including the use of authenticated end-user certificates~~, and enhanced legal and enforcement measures.~~.

11. To ensure that States receive authorization from original exporting States prior to re-transfer of all previously imported small arms and light weapons.

12. To develop, where they do not exist, national systems for regulating the activities of those who engage in arms brokering. Such systems could include measures such as registration of brokers, licensing or authorization for~~of~~ brokering transactions as well as the criminalization of all illicit brokering activities performed in the states jurisdiction, or by its nationals in other countries.

~~13. To supply small arms and light weapons only to Governments, either directly or through entities authorized to procure arms on behalf of Governments.~~

15. To ensure that all confiscated, seized or collected small arms and light weapons are destroyed as expeditiously as possible, subject to any legal constraints associated with the preparation of criminal prosecutions, unless another form of disposition has been officially authorized, provided that such weapons have been marked and the form of this disposition has been recorded.

17. To regularly review the stocks of small arms and light weapons held by ~~armed forces, police and other authorized bodies~~governments and to ensure that such stocks surplus to requirements are clearly identified, and that programmes for the responsible and expeditious disposal, normally through destruction, of such stocks are established and implemented and that such stocks are adequately safeguarded until disposal.

18. To destroy government surplus small arms and light weapons ~~using~~ to internationally accepted ~~and effective procedures~~standards of destruction and ~~in accordance with effective and~~using environmentally sound procedures. ~~Surplus weapons retained for other purposes will be permanently disabled and decommissioned~~.

19. To encourage States, as appropriate, to carry out public destruction events in the interests of awareness-raising and confidence building~~, to carry out public destruction events~~.

~~20. To seriously consider the prohibition of unrestricted trade and private ownership of small arms and light weapons specifically designed for military purposes.~~

22. To make public, as appropriate, or submit to relevant regional and international organizations, in accordance with their national practices, information on, inter alia,: (a) small arms and light weapons confiscated or destroyed within their jurisdiction; (b) national laws and regulations and processes that impact on the prevention and reduction of the illicit trade in small arms and light weapons; and (c) any other information such as illicit trade routes and techniques that can contribute to the eradication of the illicit trade in small arms and light weapons.

23. To encourage States, particularly those that have recently witnessed or continue to suffer armed conflict, to undertake public awareness programmes to reduce the demand for small arms and light weapons.

25. As appropriate, ~~T~~to encourage negotiations with the aim of concluding legally binding instruments and, where they do exist. ratification and full implementation of

legally-binding instruments aimed at preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects.

31. To cooperate with the United Nations system to ensure the effective implementation and enforcement of arms embargoes decided by the United Nations Security Council.

32. To request the Secretary General of the United Nations, through DDA, and within existing resources, to collectate and circulate data and information provided by States on a voluntary basis on small arms and light weapons, including national reports, at appropriate intervals, on implementation of the Programme of Action

33. To request the Secretary-General of the United Nations, within existing resources, to continue the effort started on ~~through DDA, to develop~~ a reference manual on ~~ecologically~~ environmentally sound ~~safe~~ methods of small arms and light weapons destruction.

34. To support disarmament and demobilization of ex-combatants and their subsequent rehabilitation and reintegration into ~~civil~~ society and, in that context, the collection and destruction of illegally held small arms and light weapons, as well as the destruction of surpluses, and the inclusion, where required, of specific provisions in peace agreements.

35. To ~~adopt or~~ develop effective international arrangements ~~and a legally binding instrument~~ to enable timely and reliable tracing of illicit lines of supply by relevant authorities.

37. To develop common understandings of the basic issues and the scope of the problems related to illicit arms brokering with a view to regulating the activities of those engaged in arms brokering and establishing model brokering regulations.

38. To encourage civil society, including non-governmental organizations and industry, to conduct and disseminate research, do field studies, educate the public, provide advice to governments on small arms issues and to deliver humanitarian relief to war-torn societies

III. IMPLEMENTATION, INTERNATIONAL COOPERATION AND ASSISTANCE

1. We the States participating in the Conference recognize that the responsibility for solving the problems associated with the illicit trade in small arms and light weapons in all its aspects falls on all States, regardless of their role in the situation. We also recognize this illicit trade cannot be prevented ~~or reduced~~ by States alone.

2. States undertake to cooperate and to enhance~~sure~~ coordination, complementarity and synergy in efforts to deal with illicit trafficking in small arms and light weapons ~~issues,~~ at global, regional, sub-regional and national levels

~~8. International programmes for specialist training on small arms stockpile management and security should be developed. The United Nations and other appropriate international or regional organizations should consider establishing and developing training facilities and programmes in this area.~~

11. States undertake to cooperate with each other, ~~including on the basis of existing regional legally binding instruments~~ and with relevant international, regional and intergovernmental organizations, in tracing illicit small arms and light weapons, particularly by strengthening mechanisms based on the exchange of information.

~~17. With respect to such regional and sub-regions, greater efforts should be made to address the security aspects of development.~~

IV. FOLLOW-UP TO THE CONFERENCE ON THE ILLICIT TRADE IN SMALL ARMS AND LIGHT WEAPONS IN ALL ITS ASPECTS

1 We, the States participating in the Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects, recommend to the General Assembly the following ~~agreed~~ steps to be undertaken for the effective follow-up of the Conference:

(b). To convene a meeting of States on a biennial basis to consider the national and regional implementation of the Programme of Action.

(c). To strengthen and develop the Programme of Action, including consideration of the negotiation of further international measures to enhance cooperation in identifying and tracing the lines of illicit trafficking in SA/LW,

(d). To consider all aspects of international cooperation regarding the ~~restriction of~~measures to combat illegal production, and the restriction of trade in small arms and light weapons to registered manufacturers, importers, exporters, dealers and brokers duly licensed or otherwise authorized by governments.

2. Finally, we the States participating in the Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects:

c) Further encourage non-governmental organizations and civil society to be engaged ~~as partners'~~ as appropriate, in ~~all~~ relevant aspects of international, regional, sub-regional and national efforts to implement this Programme of Action.

Annex

Initiatives undertaken at regional and subregional levels to address the illicit trade in small arms and light weapons

- In June 1998, the Organization of African Unity (OAU) adopted a decision on the proliferation of small arms and light weapons, stressing the role that OAU should play in coordinating efforts to address the problem in Africa and requesting the Secretary-General of OAU to prepare a comprehensive report on this issue.

- The Decision on the Proliferation, Circulation and Illicit Trafficking of Small Arms and Light Weapons taken by Heads of State and Government of OAU at its 35th Ordinary Session held in Algiers, Algeria.

- From 30 November to 1 December 2000, OAU held a Ministerial Meeting on the issue of small arms and light weapons in Bamako, Mali. The meeting adopted the ***Bamako Declaration***.

- The First Continental Meeting of African Experts on Small Arms and Light Weapons, Addis Ababa, May 2000;

- The International Consultation on the Illicit Proliferation, Circulation and Trafficking in Small Arms and Light Weapons, Addis Ababa, June 2000;

- The Summit of Heads of States and Government of the Southern African Development Community, Namibia, August 2000;

- The decision by the Council of Ministers of the Southern African Development Community to conclude its negotiations on a protocol on the control of firearms, ammunition and other related materials in the region of the community;

- The decision by the States members of the Economic Community of West African States to implement their agreement on a moratorium on the importation, exportation and manufacture of small arms and light weapons in West Africa;

- The Foreign Ministers of all 10 countries of the Great Lakes region and the Horn of Africa met in Nairobi in March 2000 and adopted the ***Nairobi Declaration***.

- In November 1997, the member States of the Organization of American States (OAS) signed the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials. The Convention came into force in 1998 and it sets forth a set of substantial measures to combat illicit arms trafficking. The Convention has been reinforced by the adoption

by the member States of the OAS Inter-American Drug Abuse Control Commission of model regulations for the control of the international movement of firearms, their parts, components and ammunition.

- In April 1998, the Presidents of the member States (Argentina, Brazil, Paraguay and Uruguay) of the Common Market of the Southern Cone (MERCOSUR), and associated States (Bolivia and Chile) signed a joint Declaration, agreeing to create a joint register mechanism of buyers and sellers of firearms, explosives, ammunition and related materials.

- From 22 to 24 November 200O, the Regional Preparatory Meeting of the Latin American and Caribbean States for the 2001 UN Conference in the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was held in Brasilia, Brazil. The ***Brasilia Declaration*** was adopted at the meeting.

- In June 1999, the First Summit Conference of Heads of State and Government of Latin America and the Caribbean and the European Union, held at Rio de Janeiro, Brazil, adopted ***Declaration of Rio de Janeiro***.

- In June 1999, a workshop on "Illicit Traffic in Small Arms: Latin American and Caribbean Issues" was held in Lima. The workshop was part of the Secretary-General's mandate under General Assembly resolution 53/77 T to conduct broad-based consultations on illicit trafficking in small arms.

- The establishment by the States parties of the Consultative Committee of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials;

- The Organization for Security and Cooperation in Europe adopted the OSCE Document on Small Arms and Light Weapons in November 2000

- The adoption by the European Union of the Programme for Preventing and Combating Illicit Trafficking in Conventional Arms and the other initiatives undertaken, such as the Joint Action on Small Arms, which has been endorsed by several Member States not members of the European Union.

- The Seminar of the Forum for Security Cooperation on Small Arms and Light Weapons, Vienna, April 2000.

- The Conference on Export Controls, Sofia, December 1999.

- The Workshop on Small Arms and Light Weapons: Possible Contribution to the Stability Pact for Southeastern Europe, Slovenia, January 2000.

- Meeting of the Working Table on Security Issues of the Stability Pact for South-eastern Europe, Bosnia and Herzegovina, February 2000.

- The Workshop on Stockpile Management and Security of Small Arms and Light Weapons, Thun, Switzerland, March 2000.

- In May 2000, the Regional Seminar on Illicit Trafficking in Small Arms and Light Weapons, co-hosted by the UN Regional Centre for Peace and Disarmament in Asia and the Pacific, and the Governments of Indonesia and Japan took place in Jakarta The Seminar contributed positively to the debate on illicit trafficking in SALW in general, and in particular to the efforts of ASEAN and its member States.

- In June 2000, the Asia Regional Workshop on Small Arms was held in Tokyo. The meeting was part of the informal consultations in the context of the preparatory process for the 2001 United Nation Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in the Asian region.

- In June 2000, a Conference entitled "Countering Small Arms and Light Weapons Proliferation in South Asia", Colombo, Sri Lanka, was organized by the Governments of Canada and Sri Lanka and the Colombo based Regional Centre for Strategic Studies in collaboration with UNDDA. The conference was the first such meeting in South Asia to discuss the small arms issue and others related to the 2001 Conference.

- Pacific Islands Forum Paper on Small Arms: The Interests and Involvement of Pacific Island Forum Countries.

- Meeting of the South Pacific Chiefs of Police and the Oceania Customs Organization subcommittee, Fiji, March 2000.

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Note verbale dated 3 April 2001 from the Permanent Mission of Nepal to the United Nations addressed to the secretariat of the Preparatory Committee, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/L.4/Rev.1)

The Permanent Mission of the Kingdom of Nepal to the United Nations presents its compliments to the secretariat of the Preparatory Committee for the Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and has the honour to communicate herewith its comments on paragraph 39 of section II and new paragraph 4 bis of section III of document A/CONF.192/PC/L.4/Rev.1, entitled "Draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects".

01-32912 (E) 260401

Annex

Drafting proposals submitted by Nepal on the revised draft Programme of Action

Section II, new paragraph 39

To promote a culture of peace **in order to prevent conflicts and lessen demand for small arms and light weapons*** by encouraging education and public awareness programmes on the problems of illicit trade in small arms and light weapons, involving all sections of society.

Section III, new paragraph 4 bis

States, international and regional organizations should, in the context of combating illicit trade in small arms and light weapons, also undertake measures to strike at the root causes of conflicts by addressing the problems of underdevelopment, poverty and insecurity.

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* Additional words in paragraph 39 of section II appear in bold.

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Recommendation proposed by Brazil, Mali, the Netherlands and the United Kingdom of Great Britain and Northern Ireland

The Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, which will be held at United Nations Headquarters from 9 to 20 July 2001,

1. ***Recommends*** that the first day of the Conference be proclaimed Small Arms Destruction Day;

2. ***Calls upon*** all States to organize, on a voluntary basis and, where possible, together with non-governmental organizations and civil society, public events of destruction of small arms and light weapons on Small Arms Destruction Day, and to ensure the widest possible dissemination of information about the events, including through national and international media;

3. ***Requests*** the Secretary-General of the United Nations to communicate this recommendation to all States and other participants in the meetings of the Preparatory Committee, including non-governmental organizations.

01-32930 (E) 020501

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Third session
19-30 March 2001

Note verbale dated 4 April 2001 from the Permanent Mission of India to the United Nations addressed to the United Nations Secretariat, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/L.4/Rev.1)

The Permanent Mission of India to the United Nations presents its compliments to the United Nations Secretariat and has the honour to forward its various proposals made, in a consolidated form, during the third session of the Preparatory Committee for the United Nations Conference on Illicit Trade in Small Arms and Light Weapons in All Its Aspects, which was held in New York from 19 to 30 March 2001.

The Permanent Mission of India to the United Nations requests the United Nations Secretariat to take necessary action for circulating these proposals as an official working paper of the Preparatory Committee.

01-32942 (E) 010501

Annex

India's proposals

Section-I - Preamble

India would like the re-insertion of the footnote to PP1 in document A/Conf.192/PC/L.4/Rev.1, as updated below:

Paragraph 1: The States participating in the United Nations Conference in Illicit Trade in Small Arms and Light Weapons* in All its Aspects, having met in New York from 9 to 20 July 2001,

Footnote

*** For the purposes of this Conference, the definition of small arms and light weapons is that presented in the report of the Panel of Governmental Experts on Small Arms (A/52/298, annex) of 1997, sect. III "weapons in use" and confirmed in the 1999 report of the Group of Governmental Experts on Small Arms (A/54/258, para 13, note 5), as well as in the report of the Panel of Group of Governmental Experts established pursuant to General Assembly resolution 54/54 V entitled "Small Arms" (A/Conf.192/PC/33 of 12 March 2001). This definition includes ammunition and explosives, and also stipulates that these weapons are those "manufactured to military specifications for use as lethal instruments of war" (A/52/298,para.24).**

Para 20 ....

(b) Developing **and implementing** agreed international measures to prevent and combat illicit ~~arms~~ trafficking in and manufacturing of small **arms** and light weapons and to reduce **their** excessive and destabilizing accumulations ~~and transfers of such weapons~~ throughout the world;

Section II: Preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects

At the national level

Para 10: To put in place adequate laws, regulations and administrative procedures to ensure the effective control over the transfer of small arms and light weapons, including the use of authenticated end-user certificates. ~~and enhanced legal and enforcement measures.~~

Para 11: To make every effort, without prejudice to the right of States to re-export small arms and light weapons that they have previously imported, ~~to advise~~ **with the consent of** the original exporting States before the retransfer of these weapons.

Para 18: To destroy surplus small arms and light weapons using internationally accepted and effective procedures and in accordance with cost-effective, **efficient** and environmentally sound procedures. Surplus weapons retained for other purposes will be permanently disabled and decommissioned.

Para 19: ~~To encourage States~~, in the interests of awareness-raising and confidence-building, to carry out ~~public~~ destruction, **if appropriate, at public** events.

At the regional level

A new para 24 prior: **To envisage, where applicable, measures at the regional level to prevent, combat and eradicate the illicit trade in Small Arms and Light Weapons in all its Aspects.**

At the global level

Para 33: To request the Secretary-General of the United Nations, ~~through the Department for Disarmament Affairs~~, to develop a reference manual on ~~ecologically safe~~ **cost-effective, efficient and environmentally sound** methods of small arms and light weapons destruction.

Para 34: To support the disarmament and demobilization of ex-combatants and their subsequent rehabilitation and reintegration into civil society and, in that context, the collection and destruction of ~~illegally held~~ **surrendered** small arms and light weapons, as well as the destruction of surpluses, **unless another form of disposition has been officially authorized, provided such weapons have been marked and the form of this disposition has been recorded.** ~~and the inclusion, where required, of specific provisions in peace agreements.~~ **This aspect could be included, where appropriate, in peace agreements.**

Para 38: To encourage the relevant international and regional organisations and States to ~~facilitate cooperation~~ **cooperate** with civil society, including non-governmental organizations, in activities related to **illicit trade in** small arms and light weapons, ~~in view of the important role that civil society plays in efforts to raise awareness of and address the problems associated with such weapons~~

Section III: Implementation, international cooperation and assistance

Para 4: ~~States, international and regional organizations should assist and promote conflict prevention measures and the pursuit of negotiated solutions to conflicts wherever possible.~~

Para 10: International cooperation to examine **and to ensure the fullest possible exchange and transfer of information and** technologies, which are both affordable and accessible to all producers, and which would improve the tracing and detection of small arms and light weapons, should be encouraged.

Section IV: Follow-up to the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Para 1....

(b) To convene a meeting of States on a biennial basis to consider the national, ~~and~~ regional **and global** implementation of the Programme of Action;

(c) To strengthen and further develop measures contained in the Programme of Action, including negotiation of an international instrument to identify and trace, **through markings and record keeping**, the lines of supply of small arms and light weapons;

Para 2...

(a) Encourage the United Nations and other ~~appropriate~~ **relevant** international and regional organizations to undertake initiatives to promote the implementation of the Programme of Action.

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Note verbale dated 4 April 2001 from the Permanent Mission of Nigeria to the United Nations addressed to the United Nations Secretariat, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/L.4/Rev.1)

The Permanent Mission of the Federal Republic of Nigeria to the United Nations presents its compliments to the Secretariat of the United Nations and has the honour to request that the attached drafting proposals of Nigeria (see annex) on the revised draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in all its aspects (A/CONF.192/PC/L.4/Rev.1) be circulated as a document of the third session of the Preparatory Committee for the Conference.

01-33038 (E) 300401

Annex

Drafting proposals submitted by Nigeria on document A/CONF.192/PC/L.4/Rev.1

Section II

The proposed language appears in *italics*.

Paragraph 4

Replace the word "adequate" by "***appropriate***" in line 1. Add the phrase "***where such laws exist, they should be strengthened to ensure adequate penalties for non compliance***".

Paragraph 8

To ensure accountability for, and ***necessary*** tracing of all weapons owned and issued by the State. Alternatively, paragraphs 8 and 16 should be merged.

Paragraph 10

Replace the word "adequate" by "***appropriate***" in line 1. The text would then read: To put in place appropriate laws, regulations and administrative procedures to ensure the effective control over the transfer of small arms and light weapons, including the use of authenticated end-user certificate, and enhanced legal and enforcement measures.

Paragraph 11

To ensure without prejudice to the right of States to re-export small arms and light weapons that they have previously imported, to inform the original State of such a transfer.

Paragraph 12

Replace "systems" in line 1 with "***Legislation***". The text should read in part: "To develop national *legislation* ...".

Paragraph 16

In line 4/5 "appropriate locations for stock pile" should be replaced by "***storage***". In the last line, "and procedures and sanctions" should be replaced by "***and procedures for accounting for thefts and losses***". Insert the word "***unique***" before "characteristics".

Paragraph 17

Replace the phrase "such stocks surplus to requirements" by "***stocks determined as surplus by government are clearly identified***". Also, replace "and that programmes for the responsible and expeditious disposal" by "***and the programmes for necessary disposal***".

Paragraph 18

To destroy ***determined*** surplus small arms and light weapons ***in accordance with National Laws and procedures***. Surplus weapons retained for other purposes will be ***well stored and accounted for***.

Paragraph 19

In the interests of public awareness-raising and confidence-building, States to carry out public destination events where necessary.

Paragraph 25

As essential, to encourage negotiations with the aim of concluding legally binding instruments and, where they do exist, ratification and full implementation of legally binding instruments aimed at preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects.

Paragraph 29

To prevent and remove, ***bearing in mind the unique characteristics, circumstances and magnitude of the problem in each region,*** avoidable inconsistencies or incoherence between various measures and procedures at the regional, subregional and global levels which could undermine the overall effectiveness of preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects.

Paragraph 30

Regions are encouraged to develop adequate measures to ensure transparency and confidence-building with a view to combating their illicit trade ***at the global level***.

Paragraph 32

To request the Secretary-General of the United Nations, through the Department for Disarmament Affairs, to collate and circulate data and information provided by States on a voluntary basis, ***in accordance with established practices***, on small arms and light weapons, including national reports, at appropriate intervals, on implementation of the Programme of Action.

Paragraph 37

Add to the text: "***and penalties for breaches***".

Section III

Paragraph 1

We, the States participating in the Conference, recognize that the responsibility for solving the problems associated with the illicit trade in small arms and light weapons in all its aspects falls on all States, ***regional organizations and the international community***, regardless of their role in the situation.

Paragraph 3

Rephrase the phrase to include "financial, technical and other appropriate support": The international community undertakes to render ***financial, technical and other appropriate support***, to the extent possible, to enable the implementation of the measures to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects as contained in the Programme of Action.

Paragraph 5

"***States, international and*** regional organizations should establish and/or build upon established partnerships ***and cooperation*** to share ***vital*** resources and information on the illicit arms trade in small and light weapons in all its aspects.

Paragraph 10

Insert the word "***illegal***" between the words "of" and "small arms" in line 3.

Section IV
Follow-up to the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Paragraph 1 (b)

The United Nations is recommended to convene a meeting of States, regional and subregional organizations and other international organizations on a biennial basis to review progress made in the implementation of the Programme of Action.

Paragraph 1 (c)

To strengthen and further develop measures contained in the Programme of Action, including negotiations of an international *legal* instruments to identify and trace the illegal lines of supply of small arms and light weapons, *strengthening instruments on terrorism and international crime.*

Paragraph 2 (c)

Further encourage non-governmental organizations and civil society *to play a more important role and assist Governments, as appropriate*, in all aspects of international regional, subregional and national efforts to implement this Programme of Action.

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Note verbale dated 4 April 2001 from the Permanent Mission of Australia to the United Nations addressed to the Department for Disarmament Affairs of the United Nations Secretariat, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/L.4/Rev.1)

The Permanent Mission of Australia to the United Nations presents its compliments to the Department for Disarmament Affairs of the United Nations Secretariat and has the honour to transmit the amendment proposals by Australia in relation to the revised draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/PC/L.4/Rev.1) (see annex).

The Permanent Mission of Australia to the United Nations requests that the attached document be circulated as an official document of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

01-33044 (E) 300401

Annex

Proposals by Australia for amendment of the revised draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/PC/L.4/Rev.1)

Proposals for amendment of Part II

Suggested amendment to paragraph 2, part II:

2. To establish **or designate** ~~, where they do not exist, national coordination agencies or bodies and the~~ **an** appropriate institutional structure **or arrangement** responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects. **This could involve the establishment of a national coordination agency or body, and** should ~~include~~ **cover** aspects of the spread, control, circulation, trade, collection, destruction and reduction of small arms and light weapons.

Suggested amendments to paragraphs 17 and 18, part II:

17. To regularly review the stocks of small arms and light weapons held by **governments** ~~armed forces, police and other authorized bodies~~ and to ensure that such stocks **declared by competent national authorities as** surplus to requirements are clearly identified **by them**, and that programmes for the responsible ~~and expeditious~~ disposal **of such stocks**, normally through destruction, ~~of such stocks~~ are established and implemented and that such stocks are adequately safeguarded until disposal. **If surplus stocks are disposed of through export, such exports should only take place in accordance with the export provisions in section II of this Programme of Action. When assessing whether it has a surplus of small arms, each State could take into account such factors as: the size and structure of military and security forces; the geopolitical and geostrategic context, including the size of territory and population; the internal and external security situation; and international commitments, including those relating to international peacekeeping operations.**

18. To destroy surplus small arms and light weapons **designated for destruction** using **cost-effective, efficient** ~~internationally accepted and effective procedures and in accordance with effective~~ and environmentally sound procedures. ~~Surplus weapons retained for other purposes will be permanently disabled and decommissioned.~~

Suggested amendment to paragraph 20, part II

20. To seriously consider the prohibition of unrestricted trade and **unrestricted** private ownership of small arms and light weapons ~~specifically designed for military purposes~~. **Trade in and private ownership of fully automatic military assault weapons should be subject to particularly strong restrictions**.

Suggested amendment to paragraph 28, part II

28. To encourage regional and subregional action on small arms and light weapons in order to introduce or strengthen relevant laws, regulations and administrative procedures. **To encourage the adherence to and implementation of such laws, regulations and administrative procedures, and the provision of assistance for doing so if necessary.**

Suggested new paragraph, to be added after paragraph 28, part II

28bis. To encourage states to implement regional and subregional mechanisms, where appropriate, to promote safe, effective stockpile management and storage practices for small arms and light weapons.

Suggested amendment to paragraph 37, part II

37. To develop common understandings of the basic issues and the scope of the problems related to illicit arms brokering with a view to regulating the activities of those engaged in arms brokering, **including through the development of model legislation on brokering**.

Proposals for amendment of Part III

Suggested amendment to paragraph 8, part III

8. **Regional and** international programmes for specialist training on small arms stockpile management and security should be developed. The United Nations and other appropriate international or regional organizations should consider establishing and developing training facilities and programmes in this area.

Suggested amendment to paragraph 11, part III

11. States undertake to cooperate with each other, including on the basis of existing regional legally binding instruments **or other agreements and arrangements** and with relevant international, regional and intergovernmental organizations, in tracing illicit small arms and light weapons, particularly by strengthening mechanisms based on the exchange of information.

Proposal for amendment of Part IV

Suggested amendment to paragraph 1d, part IV

1d. To consider the elaboration of an international instrument ~~to restrict the production and trade in small arms and light weapons to registered manufacturers and brokers duly licensed or otherwise authorized by governments~~ **on the brokering of small arms and light weapons**.

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Note verbale dated 30 March 2001 from the Permanent Mission of the Philippines to the United Nations addressed to the Secretary-General, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/L.4/Rev.1)

The Charges d'affaires a.i. of the Permanent Mission of the Republic of the Philippines to the United Nations in New York presents his compliments to the Secretary-General of the United Nations (attn: Department for Disarmament Affairs and Secretary of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects) and has the honour to request that the attached proposed amendments of the Philippines to the draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/PC/L.4/Rev.1) (see annex) be circulated as a document of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

01-32948 (E) 010501

Annex

Proposed amendments submitted by the Philippines to A/CONF.192/PC/L.4/Rev.1 (sections II and III)

Section II

Paragraph 2

To establish, where they do not exist, national coordination agencies or bodies and the appropriate institutional infrastructure responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects. This should include aspects of the **manufacture,** spread, control, circulation, **brokering,** trade, **tracing,** collection, destruction and reduction of small arms and light weapons.

Paragraph 4

To put in place **and enforce** adequate laws, regulations and administrative procedures to exercise effective control over the legal manufacture, stockpiling ...

Paragraph 6

To adopt and enforce all necessary measures to prevent the manufacture, stockpiling, **brokering**, transfer and possession of any unmarked or inadequately marked small arms and light weapons. ...

Paragraph 7

To ensure that comprehensive and accurate records are kept for **a minimum of 25 years** ~~as long as possible~~ on the manufacture, holding and transfer of small arms and light weapons within their jurisdiction. ...

Paragraph 10

To put in place adequate laws, regulations and administrative procedures to ensure the effective control over the **transport**, **transit** and transfer of small arms and light weapons, including the use of authenticated end-user certificates, and enhanced legal enforcement measures.

Paragraph 15

(The Philippines can support the current formulation but will make an interpretative remark on the phrase "destroyed expeditiously".)

Paragraph 21

To develop and implement, where they do not exist, effective, disarmament, demobilization, ~~and~~ reintegration **and small arms and light weapons collection, storage and destruction** programmes, **particularly in post-conflict situations**.

Paragraph 23

To encourage States, **in cooperation with non-governmental organizations and civil society**, to undertake public-awareness programmes to reduce the demand for small arms and light weapons.

Paragraph 34

To support the disarmament and demobilization of ex-combatants and their subsequent ~~rehabilitation and~~ reintegration into civil society, **the rehabilitation of victims, particularly women and children,** and, in that context, the collection and destruction of ~~illegally held~~ small arms and light weapons, as well as the destruction of surpluses, and the inclusion, where required, of specific provisions in a peace agreement.

Paragraph 37

To develop common understandings of the basic issues and the scope of problems related to illicit arms brokering with a view to regulating the activities of those engaged in arms brokering **through international arrangements and a legally binding instrument on brokering in small arms and light weapons**.

Section III

Paragraph 16

In conflicts and post-conflict situations, ~~With respect to regions and subregions where conflicts have ended and~~ particularly where serious problems are experienced with excessive and destabilizing accumulations and spread of small arms and light weapons, the relevant regional and international organizations should support, within available resources, ~~all~~ appropriate ~~post-conflict~~ programmes related to the disarmament, demobilization and reintegration of former combatants.

United Nations

A/CONF.192/PC/62

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Letter dated 6 April 2001 from the Permanent Mission of Sri Lanka to the United Nations addressed to the Secretariat of the United Nations, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/L.4/Rev.1)

The Permanent Mission of the Democratic Socialist Republic of Sri Lanka to the United Nations presents its compliments to the Secretariat of the United Nations and has the honour to enclose herewith drafting proposals by Sri Lanka on the revised draft Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/PC/L.4/Rev.1) (see annex).

The Permanent Mission of Sri Lanka requests that these drafting proposals be circulated as a document of the third session of the Preparatory Committee for the Conference.

01-33050 (E) 270401

Annex

Drafting proposals submitted by Sri Lanka on the revised draft Programme of Action

Section I. Preamble

Add text in **bold to** paragraph 5:

Concerned also about the close link between terrorism, **hostage taking, bombings and** organized crime and ***interalia*** **drug trafficking, human smuggling, money laundering**, on the one hand, and the uncontrolled spread of small arms and light weapons on the other, and stressing the importance of international efforts aimed at combating them

New para 9 bis:

Condemning *all acts, methods and practices of terrorism regardless of their motivation, in all forms of manifestations, wherever and by whomever committed, as acts aimed at the destruction of human rights, fundamental freedoms and democracy, threatening territorial integrity and security of States , destabilizing legitimately constituted Governments, undermining pluralistic civil society and the rule of law and having adverse consequences for economic and social development of the State.* CHR Res 2000/31: OP 1

Add text in Bold to Paragraph 8

Bearing in mind the right of self determination of all peoples, **which shall not be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self determination of peoples and thus possessed of a government representing the whole people to the territory without distinction of any kind** (OP 2 of VDPA 1993)

Section II

Para 2: - add text in **bold**

To establish, where they do not exist, national co-ordination agencies or bodies and the appropriate institutional infrastructure responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects. This should include aspects of the spread, control, circulation , trade, **finance,** collection, destruction and reduction of small arms and light weapons.

NEW Para as 3 bis:

Identify groups and individuals, engaged in the illegal manufacture, trade, stockpiling , transfer, possession, as well as financing for acquisition, of illicit arms and light weapons and take appropriate legislative measures to criminalize activities of such groups and individuals

Para 4: - add text in **bold**

To put in place adequate laws, regulations and administrative procedures to exercise effective control over the legal manufacture , stockpiling, transfer and possession of small arms and light weapons within their jurisdiction. To ensure that those engaged in the illegal **trade,** manufacture, stockpiling, transfer, ~~and~~ possession, **as well as, those engaged in fundraising activities for the acquisition of such arms,** can and will be prosecuted under appropriate penal codes.

NEW Para as 4 bis

To adopt legislative and other measures to interdict the linkages between the illicit trade in small arms and light weapons, and, other serious international crime, particularly: acts of terrorism directed against States and civilian populations; hostage taking; drugs smuggling; human smuggling; illicit trade in diamonds; and money laundering

NEW Para as 14 bis

To interdict all forms of acquisition of small arms and light weapons by terrorist groups, criminal organizations and irregular non-state actors, and for the purpose of such acquisition: all techniques of fundraising; use of front entities; abuse of shipping networks and regulations;piracy; and documentary fraud

Para 22- add text in n **bold**

To make public or submit to relevant regional and international organizations, in accordance with their national practices, information on, inter alia: (a) small arms and light weapons confiscated or destroyed within their jurisdiction; (b) national laws and regulations and processes that impact on the prevention and reduction of the illicit trade in small arms and light weapons (c) any other information such as illicit trade routes**,** ~~and~~ techniques **of acquisition**, that can contribute to the eradication of the illicit trade in small arms and light weapons **in all its aspects**

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Note verbale dated 6 April 2001 from the Permanent Mission of Guyana to the United Nations addressed to the Secretariat of the Preparatory Committee, transmitting drafting proposals on the revised draft Programme of Action (A/CONF.192/PC/L.4/Rev.1)

The Permanent Mission of the Republic of Guyana to the United Nations presents its compliments to the Secretariat of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and has the honour to transmit the attached drafting proposal for the Chairman's draft Programme of Action (see annex).

01-35755 (E) 070501

Annex

Drafting proposal submitted by Guyana for document A/CONF.192/PC/L.4/Rev.1

At the global level

New paragraph 35 ter

To establish a coordinating mechanism for sharing information among Governments with a view to curbing criminal and terrorist activities associated with the illicit trade in small arms and light weapons.